

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
Statesville Division

Laura T. Beyer, Judge Presiding

**FRIDAY, SEPTEMBER 11, 2015**     Steven G. Tate, Trustee

**9:30 a.m.**

1)	13	Michael L. Shor	13-50008	Hearing on debtor's motion for leave to sell asset (85, 82); Trustee's response (86, 84); response [Sharonview Federal Credit Union] (87)
----	----	-----------------	----------	---

PRO SE  
KEENAN

-----

2)	13	Remy C. Martin	14-50577	Hearing on debtor's objection to claim (20)
----	----	----------------	----------	---

DILLENBECK

-----

3)	13	Alden L. Cahill	14-50880	Hearing on Trustee's motion to dismiss or modify plan for payment default (38, 37)
----	----	-----------------	----------	--

GRIFFIN

-----

4)	13	Charlotte A. Green	15-50157	Continued hearing on objection to confirmation of plan [Kennon Amerson, South Coast Georgia Builders, LLC] (12, 2)
----	----	--------------------	----------	--

Continued hearing on motion for authority to conduct Rule 2004 examination [Kennon Amerson, South Coast Georgia Builders, LLC] (15)

HALL  
SUMMERLIN

-----

- 5) 13 Robert L. Chavis, Jr.  
Rebecca S. Chavis 12-50878 Hearing on Trustee's motion to  
dismiss or modify plan for  
payment default (28)
- HAMBY  
-----
- 6) 13 Bobby K. Canter, Jr.  
Tasha N. Canter 14-50795 Hearing on Trustee's motion to  
dismiss or modify plan for  
payment default (34)
- Hearing on motion to withdraw as  
attorney [Andrew S. Jones] (35)
- JONES  
-----
- 7) 13 Jan R. Wellborn 14-50580 Status hearing on order confirming  
Chapter 13 plan (73)
- SPERBER  
-----
- 8) 13 Madeline F. Cook 14-50703 Hearing on Trustee's motion to  
dismiss or modify plan for  
payment default (19)
- WILLCOX  
-----
- 9) 13 Tateka T. Severs 15-50026 Continued hearing on Trustee's  
motion to dismiss or modify plan  
for payment default (16)
- VUJOVIC  
-----
- 10) 13 James H. Raymer 15-50473 Hearing on objection to  
confirmation of plan [Bank of the  
Ozarks] (12, 3); debtors' response  
(18)
- VUJOVIC  
ACKERMAN  
-----

11) 13 Jerry A. Floyd 13-50892 4th continued status hearing on order granting debtor's motion to approve trial payments and loan modification (34, 29)

3rd continued hearing on Trustee's motion to dismiss or modify plan for payment default (36)

ELLIOTT

-----

12) 13 Keith C. Olsen 15-50073 Continued hearing on Trustee's motion to dismiss or modify plan for payment default (34)

Hearing on debtor's motion to amend exemptions (56); response [Margarida M. Garcez] (62)

ELLIOTT  
BRUDI

-----

- |           |    |                                       |          |  |
|-----------|----|---------------------------------------|----------|--|
| 13)       | 13 | Matthew A. Hiner                      | 13-50192 | 2 <sup>nd</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default (14); debtor's response (15) |
| SUMMERLIN |    |                                       |          |  |
| -----     |    |                                       |          |  |
| 14)       | 13 | Julian E. Walker<br>Mary G. Walker    | 15-50338 | Hearing on debtors' motion to extend time to make second plan payment (11); Trustee's response (12)                              |
| SUMMERLIN |    |                                       |          |  |
| -----     |    |                                       |          |  |
| 15)       | 13 | Mark E. Lombard<br>Mindy P. Lombard   | 14-50108 | 3 <sup>rd</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default (45)                         |
| BRUDI     |    |                                       |          |  |
| -----     |    |                                       |          |  |
| 16)       | 13 | Reinaldo O. Moloon<br>Lucia V. Moloon | 15-50316 | Hearing on objection to confirmation of plan [CommunityOne Bank, N.A.] (13, 8, 2)  |
| BRUDI     |    |                                       |          |  |
| KIRK      |    |                                       |          |  |
| -----     |    |                                       |          |  |
| 17)       | 13 | Margarida M. Garcez                   | 15-50568 | Continued hearing on Trustee's motion to dismiss or modify plan for payment default (34)   |
| BRUDI     |    |                                       |          |  |
| -----     |    |                                       |          |  |
| 18)       | 13 | Lant M. Rhodes<br>Tammy K. Rhodes     | 13-50726 | Hearing on Trustee's motion to dismiss or modify plan for payment default (33)   |
| LANEY     |    |                                       |          |  |
| -----     |    |                                       |          |  |

- |     |    |                                   |          |  |
|-----|----|-----------------------------------|----------|--|
| 19) | 13 | Maurice R. Elledge                | 14-50477 | 5 <sup>th</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default (16) |
|     |    | LANEY                             |          |  |
|     |    | -----                             |          |  |
| 20) | 13 | Charles E. Quinn, Jr.             | 15-50445 | Hearing on debtor's motion to exclude conduit payment (7)  |
|     |    | LANEY                             |          |  |
|     |    | -----                             |          |  |
| 21) | 13 | Dana M. Horton                    | 13-50185 | Hearing on debtor's motion to reconsider dismissal of case (40, 37)                                      |
|     |    | LUCK                              |          |  |
|     |    | -----                             |          |  |
| 22) | 13 | Samuel L. Wier<br>Melissa C. Wier | 14-50844 | Hearing on Trustee's motion to dismiss or modify plan for payment default (23)                           |
|     |    | LUCK                              |          |  |
|     |    | -----                             |          |  |
| 23) | 13 | Sheila S. Broyhill                | 14-50900 | Hearing on Trustee's motion to dismiss or modify plan for payment default (19)                           |
|     |    | LUCK                              |          |  |
|     |    | -----                             |          |  |
| 24) | 13 | William D. Lackey                 | 10-50117 | Hearing on debtor's first motion for discharge (38)  |
|     |    | BOLGER                            |          |  |
|     |    | -----                             |          |  |

25)	13	James E. Taylor	11-50287	Hearing on motion for relief from stay and co-debtor stay [Onyx Acceptance Corp.] (33); debtor's response (34)
-----	----	-----------------	----------	--

BOLGER  
OGBURN

-----

26)	13	Margaret D. Howell	12-50765	Hearing on debtor's first motion to extend time to convert (30)
-----	----	--------------------	----------	---

BOLGER

-----

27)	13	Stevan C. Westmoreland Peggy S. Westmoreland	14-50099	Hearing on Trustee's motion to dismiss or modify plan for payment default (35)
-----	----	---	----------	--

BOLGER

-----

28)	13	Wesley J. Lewis Kimberly B. Lewis	12-51176	Hearing on debtors' motion to modify plan to surrender collateral (49); Trustee's response (50)
-----	----	--------------------------------------	----------	---

MALLORY

-----

29)	13	Gregory A. Draughan Lina D. Draughan	13-50086	Hearing on Trustee's motion to dismiss, convert case or modify plan for failure to make plan payments (25)
-----	----	---	----------	--

MALLORY

-----

30)	13	Markandra N. Mattox	14-50009	Hearing on Trustee's motion to dismiss or modify plan for payment default (26)
-----	----	---------------------	----------	--

MALLORY

-----

- 31) 13 Tenise N. Baldwin 15-50059 2<sup>nd</sup> continued hearing on Trustee's objection (19, 18, 16, 13, 10, 2)
- Continued hearing on objection to confirmation of plan [Capital One Auto Finance] (19, 18, 16, 13, 10, 2)
- MALLORY  
OGBURN  
-----
- 32) 13 Steven C. Anderson 15-50570 Heraing on debtors' motion to extend automatic stay (6)  
Barbara S. Anderson
- MALLORY  
-----
- 33) 13 Howard J. Helton 12-50099 Status hearing on consent order settling motion for approval to pay trial period payments to Sovereign/Santander Bank (47, 45)  
Nita S. Helton
- WOOD  
-----
- 34) 13 Nathan L. Winkler 13-51058 7<sup>th</sup> continued hearing on Trustee's motion to dismiss (36)  
Tina K. Winkler
- Hearing on debtors' motion to incur debt for mortgage loan modification (56); Trustee's response (57)
- WOOD  
-----
- 35) 13 Fredrick R. Motley 14-50547 Hearing on Trustee's motion to dismiss or modify plan for payment default (18)  
Nancy J. Motley
- WOOD  
-----

36) 13 Eva L. Wilson 15-50442 Hearing on objection to confirmation of plan [JPMorgan Chase Bank, N.A.] (10, 9)

WOOD  
WADSWORTH

-----

37) 13 Billie S. Schronce, Jr. 15-50464 Hearing on objection to confirmation of plan [Carolina Trust Bank] (12, 11); debtor's response (16)

Hearing on motion for relief from stay and co-debtor stay [Carolina Trust Bank] (13); Trustee's response (15); debtor's response (16)

WOOD  
SUMMERLIN

-----

38) 13 Ryan E. Siegmann 11-50152 Hearing on Trustee's motion to modify plan (58); debtors' response (59)  
Susan A. Siegmann

LAMONTAGNE

-----

39) 13 Felicia C. Nowak 11-50632 Hearing on Trustee's motion to dismiss or modify plan for payment default (39)

LAMONTAGNE

-----

40) 13 Tommy L. Parson 11-50931 2<sup>nd</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default (52)  
Mary King Parson

LAMONTAGNE

-----



41)	13	Kenneth H. Kokotkiewicz Evelyn M. Kokotkiewicz	11-51545	Hearing on Trustee's motion to dismiss or modify plan for payment default (39)
-----	----	---	----------	--

Hearing on female debtor's motion  
to modify plan and motion for  
hardship discharge (41); Trustee's  
response (42)

LAMONTAGNE

-----

42)	13	Linda H. Perry	12-51148	Hearing on Trustee's motion to dismiss or modify plan for payment default (30)
-----	----	----------------	----------	--

LAMONTAGNE

-----

43)	13	Susan D. Brotherton	15-50126	2 <sup>nd</sup> continued hearing on objection to confirmation of plan [USA/IRS] (19, 14)
-----	----	---------------------	----------	---

2<sup>nd</sup> continued hearing on objection  
to confirmation of plan [USA/IRS]  
(21, 14)

2<sup>nd</sup> continued hearing on objection  
to confirmation of plan [USA/IRS]  
(23, 14)

2<sup>nd</sup> continued hearing on objection  
to confirmation of plan [USA/IRS]  
(13, 2)

Continued hearing on Trustee's  
objection to confirmation of  
Chapter 13 plan and motion to  
dismiss (15, 14, 2)

LAMONTAGNE  
BECK

-----

44)	12	Jeffrey C. Foster	09-51433	3 <sup>rd</sup> continued hearing on debtor's motion for contempt of order of the court (61)
-----	----	-------------------	----------	--

FLIPPIN

-----

45)	13	Terry B. Howlett Wanda L. Howlett	10-50572	Hearing on debtors' motion to reconsider dismissal of case (53, 49); Trustee's response (55)
-----	----	--------------------------------------	----------	--

FLIPPIN

-----

46)	13	Carl D. Boger	10-51429	Continued status hearing on Trustee's motion for review (70)
-----	----	---------------	----------	--

FLIPPIN

-----

47)	13	Kevin L. Beamon Charlotte D. Beamon	10-51584	4 <sup>th</sup> continued hearing on Trustee's motion to dismiss or modify plan for payment default (59)
-----	----	--	----------	--

FLIPPIN

-----

48)	13	Darry D. Groce Debbie N. Groce	12-50390	Hearing on debtors' motion to amend schedules and exemptions (53); Trustee's response (56)
-----	----	-----------------------------------	----------	--

FLIPPIN

-----

49)	13	Tammy B. Childress	12-51162	9 <sup>th</sup> continued hearing on Trustee's motion to dismiss or modify plan (25)
-----	----	--------------------	----------	--

FLIPPIN

-----

50) 13 David A. Jenkins 14-50467 4<sup>th</sup> continued hearing on Trustee's motion for review (23)  
Tammy H. Jenkins

3<sup>rd</sup> continued hearing on debtors' motion to amend schedules and exemptions (33); Trustee's response (36)

FLIPPIN

-----

51) 13 Kenneth C. Royal 15-50337 Continued hearing on objection to confirmation of plan [First Bank & Trust Company] (11, 3)  
Janet C. Royal

FLIPPIN  
DUKE

-----

52) 13 Carolyn J. Shotwell 15-50404 Hearing on objection to confirmation of plan [Springleaf Financial Services, Inc.] (14, 3)

FLIPPIN  
ARCHIE

-----

53) 13 Thomas J. Shook 11-50555 Hearing on debtor's motion to modify plan (50); Trustee's response (52)

GOURLEY

-----

54) 13 Lois W. Yount 11-50738 Hearing on debtor's motion to transfer real estate (39); response [GMAC Mortgage, LLC] (40)

GOURLEY  
HARRIS

-----

- 55) 13 Cecil S. Gregory  
Sylvia J. Gregory 13-50092 15<sup>th</sup> continued hearing on Trustee's  
motion to dismiss (43)
- GOURLEY  
-----
- 56) 13 Candi M. Hicks 13-50378 Hearing on Trustee's motion to  
dismiss or modify plan for  
payment default (43)
- GOURLEY  
-----
- 57) 13 Stephen S. Smith 13-50927 Hearing on motion for relief from  
stay [Marcia C. Smith] (48, 44);  
debtor's response (49)
- GOURLEY  
MALLORY  
-----
- 58) 13 Sharon M. Walters 14-50146 Continued hearing on Trustee's  
motion to dismiss or modify plan  
for payment default (38)
- GOURLEY  
-----
- 59) 13 Albert R. Lester, Jr.  
Sarah E. Lester 14-50158 Hearing on Trustee's motion to  
dismiss or modify plan for  
payment default (46)
- GOURLEY  
-----
- 60) 13 Carlos D. Aponte, Jr.  
Marlene W. Aponte 14-50179 Hearing on Trustee's motion to  
dismiss or modify plan for  
payment default (25)
- GOURLEY  
-----

61) 13 David A. Swan 14-50304 Hearing on Trustee's objection to claim (40); response [Nationstar Mortgage LLC] (45)

GOURLEY  
PARROTT

-----

62) 13 Harris E. Green 14-50771 7<sup>th</sup> continued hearing on motion to dismiss bankruptcy case for exceeding debt limits [Cadlerock III, LLC] (14); debtor's response (22)

6<sup>th</sup> continued hearing on objection to confirmation of plan [Cadlerock III, LLC] (21, 3)

GOURLEY  
DRISCOLL

-----

63) 13 Joshua A. Knotts 15-50368 Hearing on debtors' motion for authority to use IRA funds (15); Kelly D. Knotts Trustee's response (17)

GOURLEY

-----

64) 13 Lawrence L. Rutkauskas 15-50375 Hearing on debtor's application for approval of attorney fee (14)

GOURLEY

-----

65) 13 Allen S. Clanton 15-50405 Hearing on Trustee's objection to confirmation of Chapter 13 plan and motion to dismiss (16, 11, 9, 3)

GOURLEY

-----

66) 13 Greg M. McCourt

15-50510

Hearing on application for  
compensation to Law Offices of  
Robert H. Gourley, Jr., P.A. (13)

GOURLEY

-----

**10:30 a.m.**

- |     |      |  |          |   |
|-----|------|--|----------|---|
| 67) | 7    | Charles A. Caputo                          | 12-50986 | 3 <sup>rd</sup> continued hearing on motion for relief from stay [US Bank, N.A.] (75); debtor's response (76) |
|     |      | BADGER<br>SHADDOCK/TAYLOR, TR.             |          |   |
|     |      | -----                                      |          |   |
| 68) | 7    | Kelly D. Beheler                           | 15-50374 | Hearing on motion for relief from stay [SunTrust Bank] (8); Trustee's response (9)                            |
|     |      | BRUDI<br>WRIGHT, TR.<br>BARRETT            |          |   |
|     |      | -----                                      |          |   |
| 69) | 7    | James D. McCall<br>Sandra C. McCall        | 13-50137 | 3 <sup>rd</sup> continued hearing on Trustee's motion to turnover property of the estate (27)                 |
|     |      | FLIPPIN<br>SIGMON, TR.                     |          |   |
|     |      | -----                                      |          |   |
| 70) | Adv. | Homelife, LLC                              | 15-05007 | Pre-trial conference (14)   |
|     | v.   |  | 7        |   |
|     |      | Winfield                                   | 14-50742 |   |
|     |      | GATES/LIFSON<br>GOURLEY<br>WRIGHT          |          |   |
|     |      | -----                                      |          |   |
| 71) | 7    | Frederick H. Flouton<br>Matilda H. Flouton | 10-51239 | Hearing on debtors' motion to dismiss Matilda Flouton from bankruptcy case (47)                               |
|     |      | GOURLEY<br>SIGMON, TR.                     |          |   |
|     |      | -----                                      |          |   |

72) 7 Manfred N. Spaeth 15-50061 Continued hearing on debtors'  
Joy A. Spaeth motion to allow exemptions (13);  
Trustee's response (14)

LAMONTAGNE  
TAYLOR, TR.

-----

73) Adv. Bowers 14-05041 Continued pre-trial conference (19)  
v. 7  
Kosofsky 14-50601

SIGMON  
PRO SE

CON'T TO SPECIAL SETTING IN CHARLOTE

-----

74) Adv. Crawford 14-05029 Continued pre-trial conference (18)  
v. 7  
Tapanes 12-50842

TAYLOR  
WRIGHT  
TAYLOR/CRAWFORD

-----

75) 7 Nicole T. Wise 12-50392 Continued hearing on motion for  
relief from stay [Flagstar Bank] (68);  
debtor's response (69)

TUTTLE  
VONNEGUT  
SIGMON, TR.

-----

76) 7 David S. Shatzman 13-50594 3<sup>rd</sup> continued hearing on motion for  
relief from stay [BB&T] (28);  
Trustee's response (29)

VUJOVIC  
TAYLOR/CRAWFORD, TR.  
VONNEGUT

-----



77)	7	Alex B. Fulbright Rebecca F. Fulbright	15-50269	Continued hearing on motion for relief from stay [Wells Fargo Bank, N.A.] (13); Trustee's response (14)
-----	---	---	----------	---

WOOD  
SHEEK

-----

78)	7	David L. Ellington Brenda B. Ellington	12-50995	3 <sup>rd</sup> continued hearing on Trustee's motion to turnover documents, information and payment received regarding EHH stock against debtors (21); debtors' response (22)
-----	---	---	----------	--

LANEY  
TAYLOR/CRAWFORD, TR.

-----

79)	7	Pneu-Mech Paint Facilities, LLC	15-50366	Status hearing on order granting motion to turnover garnished funds (27, 19)
-----	---	---------------------------------	----------	--

LANEY  
GORMAN/WRIGHT, TR.

-----

**11:00 a.m.**

- |     |      |                              |          |  |
|-----|------|------------------------------|----------|--|
| 80) | 13   | Kevin R. Reece               | 14-50488 | 5 <sup>th</sup> continued hearing on motion to reconsider order or to modify plan [Victor Varela] (29, 17) |
|     |      | PENNEBAKER<br>NARDONE        |          |  |
|     |      | -----                        |          |  |
| 81) | Adv. | Varela, et al.               | 14-05038 | 2 <sup>nd</sup> continued pre-trial conference   |
|     | v.   |                              | 13       | (13)   |
|     |      | Reece                        | 14-50488 |  |
|     |      | VERMITSKY/NARDONE<br>GOURLEY |          |  |
|     |      | -----                        |          |  |